

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE CARTER-WALKER, FARM, FILED ON OCTOBER 7, 1936,
BY L. H. WITWER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)),
AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

In that reasons have not been given for the use of the various factors in the estimate of recoverable oil, nor for their use in combination with each other.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 13th day of November 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 28th day of October 1936 at 2:00 o'clock in the afternoon at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2938—Filed, October 15, 1936; 12:48 p. m.]

Saturday, October 17, 1936

No. 155

PRESIDENT OF THE UNITED STATES.

JOINT REGULATIONS OF THE SECRETARY OF THE TREASURY AND THE SECRETARY OF COMMERCE CONCERNING WHALING

Pursuant to the authority of The Whaling Treaty Act of May 1, 1936, (Public No. 535, 74th Congress), to give effect to the Convention between the United States and certain other countries for the Regulation of Whaling, concluded at Geneva, September 24, 1931, signed on the part of the United States March 31, 1932, and effective January 16, 1935, we, the Secretary of the Treasury and the Secretary of Commerce, make and prescribe the following joint regulations:

ART. 1. The provisions of the Convention for the Regulation of Whaling, The Whaling Treaty Act, and these regulations apply to all nationals, vessels, and boats of the United States in all the waters of the world, and to all persons, vessels, and boats in the United States, its territories and possessions, including the territorial waters thereof.

ART. 2. For the purposes of these regulations, baleens or whalebone whales included within the terms of the Convention for the Regulation of Whaling and The Whaling Treaty

Act shall be deemed to include, among others, those listed below:

RIGHT WHALES

Atlantic right whale.
Arctic right whale.
Biscayan right whale.
Bowhead.
Great polar whale.
Greenland right whale.
Greenland whale.
Nordkaper.
North Atlantic right whale.
North Cape whale.
Pacific right whale.
Pigmy right whale.
Southern pigmy right whale.
Southern right whale.

GRAY WHALES

California gray.
Devil fish.
Hard head.
Mussel digger.
Gray back.
Rip sack.

SET WHALES

Byrde's whale.
Pollock whale.
Rudolphi's whale.

BLUE WHALES

Blue whale.
Sibbald's rorqual.
Sulphurbottom.

FIN WHALES

Common fin back.
Common finner.
Common rorqual.
Finback.
Fin whale.
Herring whale.
Razorback.
True fin whale.

HUMPEACK WHALES

Bunch.
Humpbacks.
Hump whale.
Hunchbacked whale.

LEAST RORQUALS

Davidson's piked whale.
Little piked whale.
Minke's whale.
Sharpenosed finner.

ART. 3. Calves or suckling whales shall be deemed to include, among others, whales having a length, measured along a straight line from the tip of the snout to the notch between the flukes of the tail, less than the following dimensions:

Blue whales.....	60 feet
Fin whales.....	50 feet
Humpback whales.....	35 feet
Set whales.....	40 feet
Least rorquals.....	18 feet

ART. 4. The hunting, taking, capturing, killing, possession, sale, purchase, shipment, transportation, carriage, import, or export of any baleen or whalebone whale, or the possession, sale, purchase, shipment, transportation, carriage, import, or export of the products thereof, except as provided in the following article, shall be deemed compatible with the terms of said Convention and permitted by these Regulations.

ART. 5. The hunting, taking, capturing, killing, possession, sale, purchase, shipment, transportation, carriage, import, or export of any right or gray whale, or of any calf, suckling, or immature whale, or of any female whale accompanied by any calf, suckling, or immature whale, or the possession, sale, purchase, shipment, transportation, carriage, import, or export of the products thereof, shall be deemed incompatible with the terms of said Convention and prohibited by these regulations except:

(a) For scientific purposes under a special permit issued by the Secretary of Commerce: Provided, That, in case of each such importation or exportation of any such whale or the product of any such whale, including oil, meat, bone, meal, or fertilizer, competent evidence that the Secretary of Commerce has authorized such importation or exportation, must be presented to the Collector of Customs at the port of importation or exportation.

(b) By natives or Eskimos engaged in whaling who use only canoes or other native craft propelled by oars or sails, do not carry firearms, are not employed by others than natives or Eskimos, and are not under contract to deliver products of their whaling to any third person: *Provided*, That, in the case of each such importation or exportation, the Collector of Customs for the Customs Collection District of Alaska (No. 31) may require, and all other collectors of customs for all other customs collection districts shall require, the presentation at the port of importation or exportation of satisfactory evidence of such facts.

ART. 6. Nothing in these regulations shall be construed as: (a) applying to dolphins or porpoises; or (b) permitting any

act contrary to the laws and regulations of any State or Territory made for the purpose of giving further protection to whales when such laws and regulations are not inconsistent with the Convention for the Regulation of Whaling or The Whaling Treaty Act.

[SEAL]

DANIEL C. ROPER
Secretary of Commerce.
H. MORGENTHAU, Jr.
Secretary of the Treasury.

Approved:

FRANKLIN D. ROOSEVELT
The President.

OCTOBER 9TH, 1936

[F. R. Doc. 2941—Filed, October 15, 1936; 3:03 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ORDER TERMINATING THE AMENDED LICENSE FOR SHIPPERS OF ORANGES AND GRAPEFRUIT IN THE STATES OF CALIFORNIA AND ARIZONA

Whereas, the Secretary of Agriculture of the United States, acting under the provisions of the Agricultural Adjustment Act, on December 14, 1933, effective as of December 18, 1933, issued under his hand and the official seal of the Department of Agriculture, a license for shippers of oranges and grapefruit grown in the States of California and Arizona, which license was amended by the Secretary of Agriculture on March 22, 1935, effective as of March 26, 1935; and

Whereas, the Secretary of Agriculture has determined to terminate the said license;

Now, therefore, the undersigned, acting under the authority vested in the Secretary of Agriculture by the terms and conditions of the said act, as amended, and pursuant to the applicable General Regulations issued thereunder, hereby terminates the said license, subject to the condition that such termination shall not:

(a) Affect, waive, or terminate any right, duty, or obligation which has arisen or which may hereafter arise, in connection with, by virtue of, or pursuant to, any provision of the said license, as amended, or

(b) Release or forgive any violation of the said license, as amended, which may have occurred prior to the effective date of this termination, or

(c) Affect or impair any rights or remedies of the Secretary of Agriculture, or of any other person with respect to any violation.

In witness whereof, W. R. Gregg, Acting Secretary of Agriculture of the United States, executed this order in duplicate and hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 15th day of October 1936.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 2960—Filed, October 16, 1936; 1:16 p. m.]

[Docket No. A-35 O-35]

NOTICE OF HEARING WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER REGULATING THE HANDLING OF ONIONS GROWN IN THE STATE OF COLORADO

Whereas, under the Agricultural Adjustment Act, as amended, notice of hearing is required in connection with a proposed marketing agreement or a proposed order, and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration provide for such notice; and

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the

issuance of an order will tend to effectuate the declared policy of Title I of the Agricultural Adjustment Act, as amended, with respect to onions grown in the State of Colorado;

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed marketing agreement and a proposed order regulating the handling of onions grown in the State of Colorado, in the court room, County Court House, Delta, Colorado, on October 26, 1936, at 9:30 a. m., and in the High School auditorium, Rocky Ford, Colorado, on October 28, 1936, at 9:30 a. m.

The proposed marketing agreement and order provide for the regulation of the handling of onions produced in the area stated, and, among other things, provision is made for: (a) the establishment of a Control Board, (b) the regulation of shipments of onions by grades and sizes, and (c) assessments for expenses of administration.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act, as to the specific provisions which a marketing agreement and order should contain, and as to whether the proposed marketing agreement and the proposed order should also include provisions authorizing the limitation of shipments by means of period proration.

It is hereby declared that an emergency exists in the handling of onions in the aforesaid area, which requires a shorter period of notice than fifteen (15) days; and it is hereby determined that the period of notice given is reasonable under the circumstances.

Copies of the proposed marketing agreement and the proposed order may be inspected in or procured from the office of the Hearing Clerk, Room 4725, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

Dated, October 16, 1936.

[F. R. Doc. 2961—Filed, October 16, 1936; 1:47 p. m.]

Bureau of Animal Industry.

[Amendment 5 to BAI Order 353]

ORDER TO PREVENT THE INTRODUCTION INTO THE UNITED STATES OF RINDERPEST AND FOOT-AND-MOUTH DISEASE

[Effective October 17, 1936]

OCTOBER 15, 1936.

Under authority conferred by law upon the Secretary of Agriculture, the order to prevent the introduction into the United States of rinderpest or foot-and-mouth disease (B. A. I. Order 353) effective August 1, 1935, as amended, is hereby further amended by restoring the name "Great Britain" to the list of countries in said order, as I have determined that foot-and-mouth disease again exists in that country, and by striking out the name "Hungary" from the said list of countries as I have determined that said country of Hungary is free from rinderpest and foot-and-mouth disease. I have officially notified the Secretary of the Treasury of these determinations.

Amendment 3 to B. A. I. Order 353, effective April 27, 1936, is hereby revoked.

This amendment, which for the purpose of identification is designated Amendment 5 to B. A. I. Order 353, shall be effective October 17, 1936.

Done at Washington this 15th day of October, 1936.

Witness my hand and the seal of the Department of Agriculture.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 2959—Filed, October 16, 1936; 1:16 p. m.]

FEDERAL COMMUNICATIONS COMMISSION:

[Commission Order No. 17]

DESTRUCTION OF RECORDS

At a general session of the Federal Communications Commission held at its office in Washington, D. C., on the 23d day of September 1936;

The Commission having under consideration Telephone Division Order No. 14 and certain subsections of paragraph 20 of the Regulations to Govern the Destruction of Records of Telephone, Telegraph, and Cable Companies (including Wireless Companies) promulgated pursuant to order of the Interstate Commerce Commission made on the 3d day of November 1919:

It is ordered, That, effective this date, the records covered by the following subsections of said paragraph 20 be, and the same are hereby, exempted from the provisions of Telephone Division Order No. 14, and the provisions of said Regulations to Govern the Destruction of Records shall apply to the records described in those subsections: *Provided, however, That nothing contained herein shall be construed as relieving telephone carriers from compliance with the provisions of Telephone Division Orders Nos. 6-A and 6-B relating to the retention of all original records containing the data used in compiling responses to those orders.*

Subsection	Description of Accounts, etc.
1 (d)-----	Subscribers' and pay station ledgers and other records used in lieu thereof.
5 (f)-----	Canceled capital stock certificates.
6 (f)-----	Canceled bonds and paid interest coupons.
10 (d)-----	Record of index of bills to be issued with notations of dates of issue.
16-----	Retired securities: Canceled stock certificates, bonds, notes, interest coupons, receiver's certificates, and temporary certificates.
18 (e)-----	Letter, telegraphic, or wireless reports of fire damages.
18 (f)-----	Reports of minor losses by fire not covered by insurance or less than minimum amount collectible.
18 (g)-----	Watchmen's reports and other minor reports and memoranda pertaining to insurance and damage.
31 (f)-----	Advice of deposits made, when information contained thereon is shown on other records which are retained.
41 (b)-----	Bill stubs, copies of bills, collection tickets, collection books, and other forms of reporting collections covered by item (a) above.
41 (c)-----	Bill stubs, copies of bills, and statements of collections of operating revenues not used for reporting collections covered by item (a) above.
41 (d)-----	Statements and reports of amounts collected or due from employees for meals furnished.
41 (e)-----	Records of coin box collection books, coin box combinations, seals applied and removed from coin boxes, and similar records and reports relative to the collection of operating revenues.
41 (g)-----	Reports relating to the status of subscribers' and customers' accounts.
71 (m)-----	Copies of shipping instructions and acknowledgments thereof.
71 (o)-----	Records and reports used for checking and tracing material and supplies covered by invoices provided for in item (b) above.
72 (h)-----	Minor records and reports pertaining to materials and supplies, not involving costs or disposition, such as reports of unfilled requisitions, authorities for additions to stock, storeroom records of requisitions, estimates of future requirements, articles required by field forces, records of material disbursement and recovery tickets used and on hand, and similar records.
73 (c)-----	Minor inventories of materials and supplies on hand, and reports and memoranda relating thereto, if not used for adjustments.
81-----	Records of subscribers: Address lists and card records of subscribers by addresses, names, or telephone numbers, and similar lists and records of former subscribers.
85 (b)-----	Uncompleted tickets, lost call tickets, switching tickets, messenger-service tickets, apportionment tickets, and tickets for emergency calls, official calls, and test calls.
85 (e)-----	Measured service tickets, local message tickets, and register reading tickets or statements if summarized in records covered by item (d) above.
86 (b)-----	Tariffs, rate sheets, division sheets, and circulars in other departments and at exchanges, branch offices, and agencies, if copies of the same issues of such tariffs, etc., are preserved in the general tariff files referred to in item (a) above.
86 (c)-----	Requests and receipts from managers and others for tariffs, rate sheets, division sheets, and circulars.

Subsection	Description of Accounts, etc.
97 (a)-----	Circuit assignments, log books, and reports of circuits working, interrupted, etc.
97 (b)-----	Trouble, inspection, and testing records and reports.
97 (e)-----	Chief operators' records of switchboard markings.
99-----	Inspection records: Reports and records of condition of pay station signs and booths, central office quarters, buildings, elevators, meters, machinery, etc., except as provided for in items 18 and 97.
111 (b)-----	Written requests for copies of, and acknowledgments of receipt of, reports to stockholders.
115-----	Tabulating cards: Tabulating cards used in the compilation of statistics and other data when the results are transcribed to other records covered by these regulations.
121 (b)-----	Circulars and notice of instructions to employees on matters of discipline, department, and similar subjects.
126 (b)-----	Records and reports pertaining to motor and other vehicles and their equipment, such as tires, oil, gasoline, and batteries, when such records and reports are not used in determining charges or credits to the accounts of the company.
126 (c)-----	Receipts for records and papers temporarily removed from file, when records and papers have been returned.
126 (d)-----	Receipts and records pertaining to delivery of articles to employees, such as badges, keys, and material receipt books.
126 (e)-----	Receipts for registered mail, express packages, etc.
126 (f)-----	Passes to buildings or property of the company, surrendered upon or after use.
126 (h)-----	Lunch tickets redeemed, after summary into accounting classification.
126 (i)-----	Records of lunch tickets on hand and receipts for tickets issued.
126 (j)-----	Unissued lunch tickets.
126 (k)-----	Records of mileage, and other transportation used.
126 (l)-----	Adding machine lists and memoranda of compilations by mechanical devices if not used as summaries to support entries to the accounts.
126 (n)-----	Records of forms used by the company.
126 (o)-----	Records and reports of fire drills.
126 (p)-----	Records of postage stamps received in payment of subscribers' bills and records of stamps purchased, when not necessary to support vouchers.
126 (q)-----	Transmittal lists or forms used for indicating papers and records forwarded from one department to another, provided such lists or forms do not contain data affecting the accounts of the company.
127-----	Duplicate accounts, records, and memoranda: Duplicate copies of accounts, records and memoranda listed in these regulations, if all information on such duplicates is contained on the originals or other copies retained, and if such duplicates are not specifically provided for in these regulations. (See par. 19, p. 12.)
128 (b)-----	Stenographers' notebook records. (See also Telephone Division Order No. 14-B.)
128 (c)-----	Extra copies of letters, etc., used for tracing or following up correspondence, or for other purposes, if original or other copies are retained as provided for in item (a) above.

By the Commission.

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 2943—Filed, October 16, 1936; 10:13 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of October A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[File No. 21-271]

IN THE MATTER OF TRADE PRACTICE RULES FOR THE RUBBER TIRE INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been had under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914 (38 Stat. 717),

It is now ordered that the trade practice rules of Group I which have been approved by the Commission in this proceeding and those of Group II which have been received by the Commission as expressions of the industry be, and the same are, hereby promulgated for the Rubber Tire Industry, as follows:

Trade Practice Rules—Rubber Tire Industry

These rules promulgated by the Commission are designed to foster and promote fair competitive conditions in the interest of industry and the public. They are not to be used, directly or indirectly, as part of or in connection with any combination or agreement to fix prices, or for the suppression of competition, or otherwise to unreasonably restrain trade.

GROUP I

The unfair trade practices which are embraced in Group I rules are considered to be unfair methods of competition or other illegal practices within the statutes and the decisions of the Federal Trade Commission and the courts; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use of such unlawful practices in or directly affecting interstate commerce.

Rule 1.

(a) *Prohibited Discriminatory Differentials, Rebates, Refunds, Discounts, Credits, and Other Allowances.*—It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any price differentials, rebates, refunds, discounts, credits, or other allowances which effectuate a discrimination in price between different purchasers of goods of like grade and quality where either or any of the purchases involved therein are in commerce¹ and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce¹ or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination or with customers of either of them: *Provided, however—*

(1) That the goods involved in any such transaction are sold for use, consumption or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce¹ from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (a) the market for the goods concerned, or (b) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited Brokerages and Commissions.*—It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services

¹As herein used, the word "commerce" means trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States: *Provided, That this shall not apply to the Philippine Islands.*

rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited Advertising or Promotional Allowances, Etc.*—It is an unfair trade practice for any member of the industry engaged in commerce,¹ to pay or contract for the payment of advertising or promotion allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited Discriminatory Services or Facilities.*—It is an unfair trade practice for any member of the industry engaged in commerce¹ to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or by furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Illegal Price Discrimination.*—It is an unfair trade practice for any member of the industry or other person engaged in commerce,¹ in the course of such commerce to discriminate in price in any other respect contrary to Section 2 of the Clayton Act as amended by the Act of Congress, approved June 16, 1936 (Public, No. 692, 74th Congress), or knowingly to induce or receive a discrimination in price which is prohibited by such section as amended.

Rule 2.

The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing or by other false representations, or the false disparagement of the grade, quality or manufacture of the products of competitors, or of their business methods, selling prices, values, credit terms, policies, or services, with the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Rule 3.

The practice of selling goods below the seller's cost, with the intent and with the effect of injuring a competitor and where the effect may be to substantially lessen competition or tend to create a monopoly or unreasonably restrain trade, is an unfair trade practice; all elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this rule.

Rule 4.

The making or causing or permitting to be made or published any false, untrue or deceptive statement, representation, guarantee, warranty or adjustment policy, by way of advertisement or otherwise, concerning the grade, quality, quantity, substance, use, character, nature, origin, size, manufacture, or distribution of any product of the industry or concerning the life or service of tires or tubes, or in any other material respect, having the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Rule 5.

The false or deceptive marking or branding of products of the industry for the purpose or with the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public with respect to the grade, quality, quantity, use, size, material, content, origin,

preparation, manufacture, or distribution of such products, or in any other material respect is an unfair trade practice.

Rule 6.

For any person, firm, or corporation to hold himself or itself out to the public as "an authorized dealer" when such is not the fact, or for any member of the industry to misrepresent the character of his business, with the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Rule 7.

For any member of the industry to represent, by advertising or otherwise, that he handles "all standard makes" of tires or tubes, when such is not the fact, with the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Rule 8.

Falsely representing in the sale or offering for sale of "change over" tires or tubes that such tires or tubes are new or unused when they are in fact not new or unused, with the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Rule 9.

Withholding from or inserting in the invoice or sale ticket statements which make the invoice or sale ticket a false record, wholly or in part, of the transaction represented on the face thereof, with the purpose or effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Rule 10.

(a) The passing off, selling, or offering for sale of used, rebuilt, recapped, retreaded, or repaired tires as new or unused tires is an unfair trade practice.

(b) The sale or offering for sale of used, rebuilt, recapped, retreaded, or repaired tires which have been dressed or prepared so as to simulate new or unused tires without having durably and conspicuously branded or molded in the rubber thereof the word "Secondhand", or the words "Used tire—rebuilt", "Used tire—recapped", "Used tire—retreaded", or "Used tire—repaired", as the case may be, or without otherwise fully and truthfully disclosing to all purchasers and users the fact that such tires are not new but in truth are secondhand tires, or used tires which have been rebuilt, recapped, retreaded, or repaired, respectively, with the purpose or with the effect of misleading or deceiving purchasers, prospective purchasers or the consuming public, or with the purpose or effect of placing an instrument of fraud or deception in the hands of dealers or in other channels of trade, is an unfair trade practice.

Rule 11.

The direct or indirect misrepresentation of tires as being of a quality or grade higher than in fact they are, or as being of first, second, third, fourth, or fifth line or grade when such is not the fact, having the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public is an unfair trade practice.

Rule 12.

The use in advertisements of illustrations or depictions of tires or tubes of a different brand, style, or size, or of a higher line, grade, or quality than the tires or tubes to which the representations in such advertisements are truthfully applicable, having the capacity, tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

Rule 13.

The use of advertisements or representations of tires or tubes, or of prices thereof, which are in fact applicable only to certain limited sizes, lines, grades, qualities, styles, or brands, without in such advertisements and representations

truthfully and unequivocally disclosing the fact of such limitations, having the capacity, tendency, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice.

GROUP II

The trade practices embraced in Group II rules do not, per se, constitute violations of law. They are considered by the industry either to be unethical, uneconomical, or otherwise objectionable; or to be conducive to sound business methods which the industry desires to encourage and promote. Such rules, when they conform to the above specifications and are not violative of law, will be received by the Commission, but the observance of said rules must depend upon and be accomplished through the cooperation of the members of the industry concerned, exercised in accordance with existing law. Where, however, such practices are used in such manner as to become unfair methods of competition in commerce or a violation of any law over which the Commission has jurisdiction, appropriate proceedings will be instituted by the Commission as in the case of violation of Group I rules.

Rule A.

Where merchandise at wholesale and merchandise at retail are sold in the same establishment, the failure on the part of any member of the industry to correctly differentiate between or identify the two types of transactions, where the result may be to create confusion and deception as to the character of the transaction in the mind of purchasers or prospective purchasers, is condemned by the industry.

Rule B.

In the interest of public safety and the protection of purchasers and prospective purchasers from deception, it is the judgment of the industry that the members thereof manufacturing pneumatic automobile tires should mark or brand such tires with words and figures or phrases, molded on or in the rubber of each side wall of such tires (or otherwise affixed on each such side in some equally permanent manner) which will unequivocally, conspicuously, and truthfully indicate the number of plies existing in the construction of such tires (ply as herein used meaning fabric running from bead to bead of tire), for example: "4-ply", or "6-ply", etc.

The failure or refusal to so mark or brand tires as provided in this rule is condemned by the industry.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 2944—Filed, October 16, 1936; 11:16 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 12th day of October A. D. 1936.

[Docket No. MC 200]

APPLICATION OF RISS & COMPANY, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Riss & Company, Inc., of 124 West 4th Street, Kansas City, Mo., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From and Between Points Located in the States of Utah, Wyoming, Colorado, Nebraska, Kansas, Oklahoma, Missouri, Iowa, Indiana, Ohio, Pennsylvania, New York, Maryland, Texas, Illinois, West Virginia, and New Jersey, Over Irregular Routes and Over the Following Regular Routes:

Route No. 1.—Between Kansas City, Mo., and Denver, Colo., via Manhattan, Kans.

Route No. 2.—Between Kansas City, Mo., and Chicago, Ill.

Route No. 3.—Between Kansas City, Mo., and Denison, Tex., via Oklahoma City, Okla.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby referred to Examiner C. E. Simmons for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner C. E. Simmons, on the 6th day of November A. D. 1936, at 10 o'clock a. m. (standard time) at the Chamber of Commerce Rooms, Kansas City, Mo.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2945—Filed, October 16, 1936; 11:56 a. m.]

[Fourth Section Application No. 16553]

COAL TO THE WEST

OCTOBER 16, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: Chicago Great Western Railroad Company (Patrick H. Joyce and Luther M. Walter, Trustees).

Commodities involved: Anthracite and bituminous coal, in carloads.

From: Points on the Chicago Great Western Railroad and points in Illinois, Indiana, and western Kentucky.

To: Winona, Minn.

Grounds for relief: Carrier competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2946—Filed, October 16, 1936; 11:56 a. m.]

[Fourth Section Application No. 16554]

WRAPPING PAPER AND PAPER BAGS TO SOUTH ATLANTIC AND FLORIDA PORTS

OCTOBER 16, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: J. E. Thiford, Agent.

Commodities involved: Wrapping paper and paper bags, in carloads.

From: Points in southern territory.

To: South Atlantic and Florida ports.

Grounds for relief: Market competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission

in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2947—Filed, October 16, 1936; 11:56 a. m.]

[Fourth Section Application No. 16555]

AUTOMOBILES FROM EVANSVILLE, IND., TO THE SOUTHWEST

OCTOBER 16, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: B. T. Jones, Agent.

Commodities involved: Automobiles, in carloads.

From: Evansville, Ind.

To: Points in Southwestern territory.

Grounds for relief: Circuitous routes.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2948—Filed, October 16, 1936; 11:56 a. m.]

[Fourth Section Application No. 16556]

PETROLEUM AND PETROLEUM PRODUCTS TO THE SOUTH

OCTOBER 16, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: W. S. Curlett, Agent.

Commodities involved: Petroleum oils, viz: crude, fuel, and gas; gasoline and other petroleum products taking same rates including casing head gasoline and benzol and liquefied petroleum gas, in carloads.

From: Biltmore, L. I.-N. Y., Clendennin, W. Va., and Wilmington, Del.

To: Points in Southern territory.

Grounds for relief: To maintain grouping.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2949—Filed, October 16, 1936; 11:57 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 23]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 15, 1936.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation	Amount
Pennsylvania 13 Tioja	\$455,000
Wisconsin 14 Oconto	290,000

MORRIS L. COOKE, *Administrator.*

[F. R. Doc. 2942—Filed, October 16, 1936; 9:39 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT OF RULES CB2 AND CB4

The Securities and Exchange Commission, deeming it necessary for the execution of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, hereby takes the following action:

I. AMENDMENT OF RULE CB2

Rule CB2 is hereby amended to read as follows:

RULE CB2. Amendments and supplements to registration statements of exchanges.—Every exchange applying for registration or registered as a national securities exchange shall keep its registration statement up to date in the manner prescribed below:

(a) *Amendments.*—Promptly after the discovery of any inaccuracy in the registration statement or in any amendment or supplement thereto the exchange shall file with the Commission an amendment correcting such inaccuracy.

(b) *Current Supplements.*—Promptly after any change which renders no longer accurate any information contained or incorporated in the registration statement or in any amendment or supplement thereto the exchange shall file with the Commission a current supplement setting forth such change, except that

(i) if changes in the information called for in Exhibits C, D, and E are reported in any record which is published weekly by the exchange and promptly filed in triplicate with the Commission, no current supplements need be filed with respect to such changes;

(ii) if written notice of changes in the information called for in Exhibit I is filed with the Commission at least semi-monthly, no current supplements need be filed with respect to such changes;

(iii) no current supplements need be filed with respect to changes in the information called for in Exhibits B and J.

(c) *Annual supplements.*—(1) Promptly after the close of each calendar year the exchange shall file with the Commission a supplement setting forth the information called for in Exhibits C, D, and E as of the close of such year. (2) Promptly after the close of each fiscal year of the exchange, it shall file with the Commission a supplement setting forth its balance sheet as of the close of such year and its income and expense statement for such year. Promptly after the close of each fiscal year of each affiliate and subsidiary then listed in the registration statement or any amendment or supplement thereto in answer to Item 7, the exchange shall file with the Commission a supplement setting forth the balance sheet of such affiliate or subsidiary as of the close of such year and the income and expense statement of such affiliate or subsidiary for such year.

(d) Every amendment or supplement shall be filed in triplicate, at least one of which must be signed and attested, in the same manner as required in the case of the original registration statement, and must conform to the requirements of Rule A2 and Form 9. All amendments and supplements shall be dated and numbered in order of filing. One amendment or supplement may include any number of changes. In addition to the formal filing of amendments and supplements above described, each exchange shall send to the Commission three copies of any notices, reports, circulars, loose-leaf insertions, riders, new editions, lists, or other records of changes covered by amendments or supplements when, as, and if such records are made available to members of the exchange.

II. AMENDMENT OF RULE CB4

Rule CB4 is hereby amended to read as follows:

RULE CB4. Amendments and supplements to applications for exemption from registration as a national securities exchange.—Every exchange applying for exemption from registration as a national securities exchange or granted exemption from such registration shall keep its application for such exemption up-to-date in the manner prescribed below:

(a) *Amendments.*—Promptly after the discovery of any inaccuracy in such application or in any amendment or supplement thereto the exchange shall file with the Commission an amendment correcting such inaccuracy.

(b) *Current supplements.*—Promptly after any change which renders no longer accurate any information contained or incorporated in such application or in any amendment or supplement thereto the exchange shall file with the Commission a current supplement setting forth such change, except that no current supplements need be filed with respect to changes in the information called for in Items 26, 27, 28, and 30 and in Exhibits B, C, D, and E.

(c) *Periodic supplements.* (1) Promptly after the end of each quarter of each calendar year the exchange shall file with the Commission a supplement setting forth the information called for in Exhibits C, D, and E as of the end of such quarter. (2) Promptly after the close of each calendar month the exchange shall file with the Commission a supplement setting forth, with respect to each security listed on the exchange or admitted to unlisted trading

privileges thereon, the number of shares of stock or the aggregate face amount of bonds bought on the exchange during such month. (3) Promptly after the close of each fiscal year of the exchange, it shall file with the Commission a supplement setting forth its balance sheet as of the close of such year and its income and expense statement for such year. Promptly after the close of each fiscal year of each affiliate and subsidiary then listed in such application or any amendment or supplement thereto in answer to Item 7, the exchange shall file with the Commission a supplement consisting of the balance sheet of such affiliate or subsidiary as of the close of such year and the income and expense statement of such affiliate or subsidiary for such year.

(d) Every amendment or supplement shall be filed in triplicate, at least one of which must be signed and attested, in the same manner as required in the case of the original application for exemption, and must conform to the requirements of Rule A2 and Form 9-A. All amendments and supplements shall be dated and numbered in order of filing. One amendment or supplement may include any number of changes. In addition to the formal filing of amendments and supplements above described, each exchange shall send to the Commission three copies of any notices, reports, circulars, loose-leaf insertions, riders, new editions, lists, or other records of changes covered by amendments or supplements when, as, and if such records are made available to members of the exchange.

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2951—Filed, October 16, 1936; 12:52 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its Office in the City of Washington, D. C., on the 15th day of October 1936.

[File No. 1-1867]

IN THE MATTER OF DOLPHIN PAINT AND VARNISH COMPANY
CLASS A COMMON, NO PAR VALUE—CLASS B COMMON, NO
PAR VALUE

ORDER DIRECTING HEARING UNDER SECTION 12 (D) OF THE
SECURITIES EXCHANGE ACT OF 1934, AS AMENDED

The Dolphin Paint and Varnish Company having made application to the Commission pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, for permission to withdraw from listing and registration its Class A Common Stock, No Par Value, and Class B Common Stock, No Par Value, on the Detroit Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons should be given an opportunity to be heard and that general notice should be given;

It is ordered, that the matter be set down for hearing at 10 o'clock a. m. on Monday, October 26th, 1936, at the Regional Office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated may determine, and that general notice thereof be given; and

It is further ordered, that Henry Fitts, an officer of the Commission be, and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2952—Filed, October 16, 1936; 12:52 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 12th day of October A. D. 1936.

[File No. 2-1955]

IN THE MATTER OF REGISTRATION STATEMENT OF MANSUL
CHEMICAL COMPANYORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D)
OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING
OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by Mansul Chemical Company under the Securities Act of 1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading.

It is ordered, that a hearing in this matter under Section 8 (d) of said Act, as amended, be convened on October 26, 1936, at 10:00 o'clock in the forenoon, in Room 726C, Securities and Exchange Commission Building, 1773 Pennsylvania Avenue NW., Washington, D. C., and continue thereafter at such times and places as the officer hereinafter designated may determine; and

It is further ordered that Charles S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2950—Filed, October 16, 1936; 12:52 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 15th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE MAGNOLIA-METROPOLITAN FARM, FILED ON SEPTEMBER
24, 1936, BY CONTINENTAL INVESTMENT CORP., RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above-entitled matter, which was last set to be heard at 10:00 o'clock in the forenoon on the 16th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 11:00 o'clock in the forenoon on the 28th day of October 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2955—Filed, October 16, 1936; 12:53 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 15th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE CENTRAL-BENSO "A" FARM FILED ON SEPTEMBER 26,
1936, BY KENT K. KIMBALL, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 11:00 o'clock in the forenoon on the 16th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 11:00 o'clock in the forenoon on the 31st day of October 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2357—Filed, October 16, 1936; 12:54 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 15th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE MID-CONTINENT-JOHNSTON FARM FILED ON SEPTEMBER
26, 1936, BY ROYALTY INVESTMENTS CORP., RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 10:30 o'clock in the forenoon on the 16th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request.

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:30 o'clock in the forenoon on the 28th day of October 1936, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2354—Filed, October 16, 1936; 12:53 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 15th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST
IN THE J. C. EMERY FARM, FILED ON SEPTEMBER 28, 1936, BY
H. H. SCHWARZ, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 11:30 o'clock in the forenoon on the 16th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 11:30 o'clock in the

forenoon of the 28th day of October 1936, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2956—Filed, October 16, 1936; 12:54 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 15th day of October A. D. 1936.

[File No. 32-37]

IN THE MATTER OF CUMBERLAND COUNTY POWER AND LIGHT COMPANY

ORDER GRANTING EXEMPTION FROM PROVISIONS OF SECTION 6 (A) OF PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Cumberland County Power and Light Company having filed with the Commission an application, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of Section 6 (a) of said Act of the issue and sale by applicant of \$9,500,000 principal amount of its First Mortgage Bonds, 3½% Series, due October 1, 1966, and of not exceeding 10,000 shares of its Preferred Capital Stock, 5½% Cumulative, having a par value of \$100 per share; such application having been amended; a hearing thereon having been held after appropriate notice; the record in this matter having been examined; and the Commission having filed its findings herein;

It is ordered that the issue and sale of the aforesaid securities, in accordance with the representations of such application be, and the same hereby are, exempted from the provisions of Section 6 (a) of the Public Utility Holding Company Act of 1935, upon condition, however, that such issue and sale shall be made in all respects in compliance with the terms and conditions set forth in the order issued by the Public Utilities Commission of Maine, dated October 12, 1936, which order expressly authorized such issue and sale.

It is further ordered that within 10 days after any issue or sale of any of said securities, the applicant shall file with this Commission a certificate of notification showing that such issue or sale has been effected in accordance with the condition imposed by this order and in accordance with the representations of such application.

It is further ordered that if said authorization by the aforesaid State commission as to the aforesaid securities shall be revoked or shall otherwise terminate, this exemption shall immediately terminate without further order of this Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2953—Filed, October 16, 1936; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 15th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE EXCHANGE-MILLS FARM FILED ON SEPTEMBER 25, 1936, BY SOUTHWEST ROYALTIES CO., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities

Act of 1933, as amended, that the amendment received at the office of the Commission on October 8, 1936, be effective as of October 8, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2958—Filed, October 16, 1936; 12:54 p. m.]

Tuesday, October 20, 1936

No. 156

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

REGULATIONS GOVERNING THE AUTHENTICATION OF CERTIFIED COPIES OF FOREIGN PUBLIC RECORDS, THE MANNER OF EXECUTING AND RETURNING COMMISSIONS BY CONSULAR AND DIPLOMATIC OFFICERS IN CRIMINAL CASES, AND SCHEDULES OF FEES AND COMPENSATION ALLOWABLE IN SUCH CASES

By virtue of and pursuant to the authority vested in me by the act approved June 20, 1936, entitled "An Act Relating to the admissibility in evidence of certain writings and records made in the regular course of business" (Public, No. 734, 74th Cong.), and by section 1752 of the Revised Statutes (U. S. C., title 22, sec. 132), I hereby prescribe the following regulations governing the authentication of certified copies of documents of record or on file in a public office of a foreign country or a political subdivision thereof, the manner in which consular or diplomatic officers shall execute and return commissions issued in criminal cases under the provisions of the said act of June 20, 1936, and schedules of fees and compensation allowable in such cases.

Section 482A of the Consular Regulations is prescribed as follows:

"482A. *Certification of foreign public documents.*—Any consular officer of the United States is authorized to authenticate a certified copy of any document of record or on file in a public office of the foreign country in which he resides, or of a political subdivision thereof, by a certificate under the seal of his office certifying that such document has been certified by the lawful custodian of such document. (Sec. 6, act of June 20, 1936.)"

Section 489 of the Consular Regulations is amended to read as follows:

"CIVIL CASES

"489. *Commission to take testimony in civil cases.*—When a court in the United States appoints a consular officer commissioner to take testimony in a foreign country for the use of that court, the commission usually is accompanied by interrogatories and full instructions which the consular officer must carefully follow. The consular officer acts both in his official consular capacity and as an officer of the court which issues the commission. (22 U. S. C. §§ 98, 131.)

"The charges in such cases are official and must be in strict accordance with the Tariff of United States Consular Fees. (22 U. S. C. § 127.) When it is necessary to insure payment of such fees, the consular officer is authorized to retain the papers committed to him in connection with such service until the prescribed fees, for which he is responsible to the Government, have been paid. (22 U. S. C. § 93.)"

Sections 489A to 489T, inclusive, of the Consular Regulations are prescribed as follows:

"CRIMINAL CASES

"489A. *Purposes of and compliance with commission.*—Any book, paper, statement, record, account, writing, or other document, or any portion thereof, of whatever character and in whatever form, as well as any copy thereof equally with the original, which is not in the United States (hereinafter referred to as a foreign document) shall, when

